

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FELTON HAYMAN : CIVIL ACTION
v. :
COMMONWEALTH OF PENNSYLVANIA : NO. 08-cv-00574-JF

MEMORANDUM AND ORDER

Fullam, Sr. J.

March 10, 2008

Petitioner, in this purported habeas corpus case, is represented by counsel. On February 5, 2008, through counsel, petitioner filed a lengthy document entitled "Petition Under 28 U.S.C. § 2254 for a Writ of Habeas Corpus." Unfortunately, the petition does not comply with the requirements of Local Civil Rule 9.3 of this Court - it was filed on the wrong form, and fails to provide required information.

Petitioner will therefore be afforded an opportunity to remedy these defects, which include:

1. Use of the wrong form.
2. Information as to just what state-court sentence or sentences petitioner is serving (so as to satisfy the "in custody" requirement).
3. Information as to any possible basis for concluding that this Court may act upon the petition, in view of the time-limitations imposed by the AEDPA. (Petitioner is apparently attempting to challenge a sentence or sentences imposed in either 1991 or 1993.)

4. Information concerning when, whether, and how petitioner claims to have exhausted his state-court remedies, or should be excused from such exhaustion.

An appropriate order follows.

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ORDER

AND NOW, this 10th day of March 2008, IT IS ORDERED:

That the "Petition Under 28 U.S.C. § 2254 for a Writ of Habeas Corpus," filed on February 25, 2008, is DISMISSED, without prejudice to the filing of a petition on the appropriate form, in compliance with the views expressed in the accompanying Memorandum.

If an amended petition is filed, the original petition herein dismissed may remain on file as constituting a brief in support of the application.

Unless an amended petition is filed within 30 days, this action will be dismissed with prejudice.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.